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PATENT
Attorney Docket No. 04173.0446

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Kazutaka AKIYAMA)	Group Art Unit: 2826
)	
Application No.: 10/807,274)	Examiner: Leonardo ANDUJAR
)	
Filed: March 24, 2004)	
)	
For: SEMICONDUCTOR DEVICE AND)	Confirmation No.: 3986
SEMICONDUCTOR DEVICE)	
MANUFACTURING METHOD)	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicant brings to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed after the events recited in Section 1.97(b) but, to the undersigned's knowledge, before the mailing date of either a Final action, Quayle action, or a Notice of Allowance. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement includes a statement as specified by Section 1.97(e).

Each of the foreign patent documents listed in this Information Disclosure Statement was first cited in a communication from the Japanese Patent Office in a counterpart foreign application, and this Information Disclosure Statement is being filed within three months of the mailing date of that communication.

Copies of the listed foreign patent documents are enclosed. English-language Abstracts of the listed foreign patent documents are also enclosed for the Examiner's convenience.

The foreign patent documents were cited in a Notification of Reasons for Rejection from the Japanese Patent Office ("Notification") dated March 10, 2009, in a counterpart foreign application. A copy of the Notification is enclosed. In lieu of a statement of relevance or translation of the non-English-language documents, an English-language translation of the Notification setting forth the relevance of these documents is also enclosed. Applicant does not necessarily endorse any conclusions set forth in the Notification. JP 2002-353307, which is cited in the Notification, was listed in an Information Disclosure Statement filed June 23, 2005, in the instant application. JP 2000-277465, which is cited in the Notification, was listed in an Information Disclosure Statement filed March 24, 2004, in the instant application.

U.S. Patent No. 6,498,089 (related to JP 2002-270608) and U.S. Patent No. 6,207,585 (related to JP 11-054504) are also listed in this Information Disclosure Statement for the Examiner's convenience. Copies of the U.S. patent publications are not enclosed. Based on reasonable inquiry, none of the U.S. patent publications was cited in a communication from a foreign patent office in a counterpart foreign application or known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited document does not constitute "prior art" under United States law, Applicant reserves the right to present to the USPTO the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: May 21, 2009

By: 
Reece Nienstadt
Reg. No. 52,072